

**United States District Court
Southern District of Ohio
Western Division**

Russell Loughner, *et al.*,
Plaintiffs,

Case No. 1:11cv405

vs.

Magistrate Judge Bowman

Moulder Techniques, *et al.*,
Defendants,

ORDER

This civil matter was filed June 21, 2011, naming Moulder Techniques, Inc. and South State Machinery, Inc. as defendants.

It is well settled that a corporation cannot appear in federal court except through an attorney. *See Rowland v. California Men's Colony*, 506 U. S. 194, 202 (1993). *See also Doherty v. American Motors Corp.*, 728 F.2d 334, 340 (6th Cir. 1984). Furthermore, it is insufficient that the person attempting to represent the corporation is an officer of the corporation. *Reich v. Pierce*, 45 F.3d 431, 1194 WL 709292, at *4, N.1 (6th Cir. Dec. 20, 1994) (*citing Ginger v. Cohen*, 426 F.2d 1385, 1386 (6th Cir. 1970)). Thus, W. John Dicks cannot represent the defendant corporations in this matter. Defendant Moulder Techniques, Inc. and South State Machinery, Inc. must secure counsel to represent it in this matter within thirty (30) days of the filing date of this order and counsel must enter an appearance on behalf of the corporations within that time. If defendant Moulder Techniques, Inc. and South State Machinery, Inc. fail to secure counsel within the allotted time, the Court may consider entering a default judgment against the corporations for failure to obey an order of this Court. Furthermore, insofar as any motions or other papers have been filed in this case by W. John Dicks allegedly in behalf of Moulder Techniques, Inc. and South State Machinery, Inc., such motions or pleadings are hereby STRICKEN from the record, specifically Docs. 10, 11, 15 and 16.

It is therefore ORDERED that Defendants Moulder Techniques, Inc. and South State Machinery, Inc. shall within thirty (30) days secure representation and have counsel enter an appearance. The Clerk is ORDERED to serve a copy of this order, return receipt requested upon W. John Dicks, President of the two corporations.

s/Stephanie K. Bowman

Stephanie K. Bowman
United States Magistrate Judge